

July 17, 2000

Remembrance, Responsibility, and Future Foundation
12th and Concluding Session of the Working Committee
Berlin, July 17, 2000

Declaration by
the Chancellor's Special Commissioner
Dr. Otto Graf Lambsdorff
Federal Minister, Ret.

(Unofficial English translation provided by the U.S. Department of State's Office of
Language Services)

Mr. Minister,
Mr. Secretary,
Ladies and Gentlemen,

Today we are concluding the plenary sessions that since May 1999 have lasted a year and one month, a year in which perhaps one of every seven former slave laborers and forced laborers has died.

We bear a collective responsibility for the great length of the discussions, but I do not believe that anyone here is personally at fault.

The problems that we had to overcome were inordinately difficult.

The two concluding documents, the Joint Declaration just signed and the Agreement of the German and American governments, reflect just a part of this factual and legal complex that I don't need to tell you about.

I would not like now to recount one more time the steps of our negotiations, which went from the agreement in December 1999 concerning the capital endowment of the "Remembrance, Responsibility, and Future" Foundation, to the distribution agreement in March, to the German-American Agreement this past Pentecost Monday on the question of legal protection.

The German Bundestag has followed our negotiations from the beginning. Therefore, I salute one more time the members of all the parties. From its introduction through an all-party coalition right through to its approval by an overwhelming majority in record time in the week before last, the German Bundestag has discussed the Foundation Law and has made improvements in it.

In doing this, the German Bundestag and I would like to emphasize this with you out of great respect for the matter at hand and the international nature of the negotiations, has yielded its own sovereign prerogatives to the maximum in order to meet our desires and concerns to a very large degree.

The German legislature B represented on the Board of Trustees through five of its members B will keep an eye on the "Remembrance, Responsibility, and Future" Foundation. Its representatives will see to it that attention is paid to some legitimate concerns raised vigorously in the big debate of July 6, namely fairness, transparency, and efficiency.

Fairness mean above all that the beneficiaries of the Foundation receive approximately equal payments for equivalent suffering.

Transparency means that the work of the Foundation and of the partner organizations as well must be comprehensible and reasonable to each of us and to the German tax-payer.

By efficiency, I mean that as soon as the partner organizations take up their tasks payments to the victims should be made quickly and B and this is particularly important B administrative costs should be contained.

The Bundestag will conscientiously carry out its oversight function with regard to 5 billion German marks in tax-payer funds.

It is not only the German legislature that has taken part in our work. As I know from numerous contacts, the legislatures of your own countries, ladies and gentlemen, have also been at your side and have influenced the negotiations either directly or indirectly.

I assume and hope that your legislatures also feel co-responsible for the work of the Foundation and its partners in the same way. As we know from history, this is a great and heavy responsibility.

The German Government has also been involved with the Foundation on an intensive and continuous basis. In fact, it laid out the path with regard to the major questions having to do with financing, reparations, and the legislative process.

Without the personal engagement and the specific involvement of the Chancellor and the American President, we would still be far from today's concluding date.

In my words of appreciation, I would also like to include the German Minister of Finance, Mr. Eichel, and his competent colleagues. You all know Mr. Loeffler.

I am pleased that Foreign Minister Fischer is taking part in our plenary meeting today and I greet him most warmly.

Mr. Gentz as Chairman of the Foundation Initiative, Mr. Kohler as head of the working group for legal questions, and all other representatives of German industry: In the past year and in recent days, you have often been attacked. This is completely unjustified: The determined leadership of Mr. Gentz and Mr. Breuer and certain others has brought the Foundation Initiative to the result that has been achieved.

Mr. Gentz, Secretary Eizenstat, and I were always in agreement on one point: We wanted a result.

I know that temporizing of German industry in its willingness to make payment has raised a question as to whether they will honor their promise of 5 billion German marks. All representatives of the Foundation Initiative are surprised and disappointed at the reluctance shown.

I have criticized this often and publicly. However, one should not criticize the wrong people. Therefore, once more, Mr. Gentz, sincere thanks for taking up this task, which has given you little joy and many adversaries.

And here I emphasize one more time: Like the Federal Government of Germany, like the German minister of finance, I have not the slightest doubt that German industry will provide the contribution promised.

In this context, I take up the appeal of Dr. Gentz at our seventh plenary session on December 17 of last year: I respectfully ask all German business enterprises to open their corporate archives of the war years to scholarly research and to those who have a legitimate interest. This also is a part of the moral responsibility of German industry.

The business enterprises of the Foundation Initiative accept the result of the extremely difficult negotiations over legal peace. In that regard, the letter from National Security Adviser Sandy Berger and his colleague Mrs. Nolan to their German colleague Michael Steiner was particularly helpful.

We welcome the fact that President Clinton has obligated the American government to a comprehensive and lasting legal peace. He promised that he would energetically advise judges to dismiss claims.

Mr. Secretary, dear Stu,

It will remain a mystery to me how, in addition to your duties for the U. S. Government, you found the time to tackle these practically insoluble tasks and to carry them to a conclusion.

I know that this was done through even longer workdays and by giving up your weekends. We have seen again and again the seriousness and determination with which you pursue the interests of the former slave laborers and forced laborers, but we were also always aware that you tried not to burden German-America relations and the even more delicate relations within Europe.

Not every American understands the wounds and sensitivities of our continent. You learned them during your years in Brussels. Mr. Secretary, you deserve special praise for what you have done for transatlantic relations and for Europe.

My appreciation includes Ambassador Bindenagel. If it sometimes seemed as if nothing was working anymore, there was always the possibility of a telephonic call for help to "J.D." His collaboration with Michael Geier was indispensable.

My most personal thanks goes to Michael Geier. Without him, I couldn't have managed.

The representatives of the victims and their home countries have also shown themselves to be men of prudence and sensitivity. I know: Each of them during these months has stood between two fires [Translator's note: or, more freely translated, a rock and a hard place] and has had to withstand much pressure. It would not be fair to name names.

In working on the final document, all participating governments have once more taken up the subject courageously and responsibly. By signing, they take on a great burden. They know that not only the German Bundestag and the German people, but the world at large will watch closely whether the promises were kept to make the payments quickly, fairly, and efficiently to the elderly recipients.

Today I also greet the representative of the International Organization for Migration Mr. Dirk de Winter. I thank the IOM for its willingness to assume the task of seventh partner organization.

At this point, I would like to recognize two German researchers who gave us particular support at central moments during our discussions: Prof. Niethammer is not only an historian, but as host in Florence at a critical point in the discussions he helped prevent the discussion of survivors from going off in the wrong direction. He also wrote up some interesting and noteworthy ideas for the Future Fund that it is hoped will enrich the discussions that are yet to take place.

Professor Frowein, eminent scholar of international law and long-time advisor to the federal government, supported us with his deep knowledge.

I would like to express special thanks to both of them.

Finally, a personal word: The Chancellor and you, ladies and gentlemen, have made it possible for me to conclude my long political career with a particularly difficult and responsible assignment. I was given the opportunity to speak two more times before the German Bundestag, from which I had already taken my leave.

In the past months of my advancing years, I have experienced and learned a great deal, and not just about American law. I hope that you were accepting of my leadership of the negotiations, which were also a collective learning process.

Esteemed attorneys, I turn deliberately to you at the end. You know that you marked in a decisive way a great part of the path that led us to where we are today. I would like to thank you my old friend Lloyd Cutler, Professor Newborn, Roger Witten, Mr. Weiss, and Mr. Hausfeld. I thank you personally and as representatives of all of the others.

You are now undertaking a still greater responsibility. Your actions and engagement in the coming weeks and months will decide the point at which the old people will receive the first payments. You have shown intelligence and prudence in many phases of these negotiations. It is and remains our goal to make the first payments to the

partner organizations this year so that they can start payments to the victims in this very year.

Thank you very much.